

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 ROBERT SLOVAK,

5 Plaintiff,

6 v.

7 GOLF COURSE VILLAS
8 HOMEOWNERS' ASSOCIATION, *et al.*,

9 Defendants.

Case No. 3:13-CV-0569-MMD-CLB

**ORDER GRANTING EMERGENCY
MOTION TO CONTINUE HEARING**

[ECF No. 341]

10 Before the Court is Plaintiff Robert Slovak's ("Slovak") emergency motion to continue
11 evidentiary hearing. (ECF No. 341.) Wells Fargo Bank, N.A. ("Wells Fargo") responded
12 to the motion. (ECF No. 345.)

13 The Court has thoroughly reviewed the motion to extend time, (ECF No. 341), and
14 has conducted its own research related to the alleged claims that documents filed on the
15 Court's Case Management Electronic Filing System ("CM/ECF") system were not
16 properly served upon counsel at the time of filing. Based on the Court's review, it appears
17 that due to technical issues with CM/ECF, the motion to exclude witnesses, (ECF No.
18 338), may not have been properly served by CM/ECF at the time of filing. It also appears
19 that similar issues may have affected Wells Fargo's ability to access documents filed by
20 Slovak. Moreover, upon further review, the Court finds that it would be impossible for it to
21 properly consider and thoroughly review Wells Fargo's motion to exclude in time to
22 provide both parties and their witnesses sufficient notice to make (or cancel) necessary
23 travel arrangements given the lateness of the filings and scheduled time for the upcoming
24 evidentiary hearing.

25 Therefore, in light of the above, the Court finds it must continue the currently
26 scheduled evidentiary hearing.
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Therefore, the Court orders as follows:

1. The emergency motion to continue hearing, (ECF No. 341), is **GRANTED**.
2. The Court's minute order, (ECF No. 349), is hereby **VACATED**.
3. Slovak shall have until **August 23, 2021** to file an opposition to Wells Fargo's motion to exclude witnesses. (ECF No. 338.) Wells Fargo shall file a reply no later than **August 30, 2021**. No extensions of time to file either document will be granted for any reason.
4. Both parties are ordered to email any document(s) and accompanying attachments and/or exhibits that are electronically filed via CM/ECF in this case directly to their opposing counsel between now and the rescheduled hearing date to ensure that all documents are received by the opposing party.
5. The in-person evidentiary is hearing is set for **October 14 & 15, 2021**. If there are any conflicts with this date, the parties shall contact the Courtroom Deputy, Lisa Mann, at 775-686-5653 on or before August 23, 2021.

DATED: August 17, 2021 .


UNITED STATES MAGISTRATE JUDGE